JOHNS HOPKINS UNIVERSITY STUDIES

IN

HISTORICAL AND POLITICAL SCIENCE

HERBERT B. ADAMS, Editor

History is past Politics and Politics present History.—*Freeman*

II

THE GERMANIC ORIGIN

OF

NEW ENGLAND TOWNS

Read before the Harvard Historical Society, May 9, 1881

By HERBERT B. ADAMS, Ph. D.

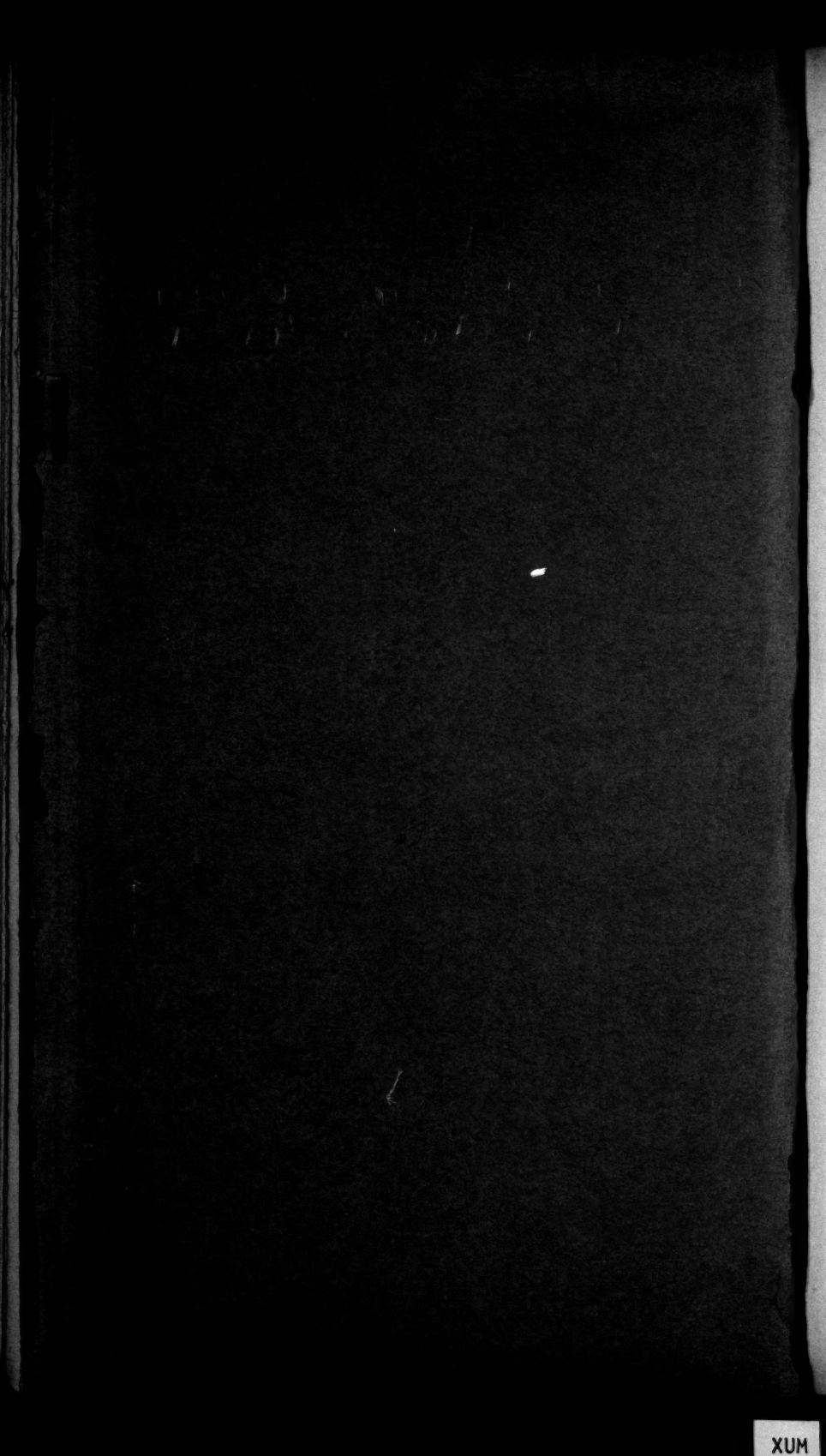
With Notes on Co-operation in University Work

BALTIMORE

N. MURRAY, PUBLICATION AGENT, JOHNS HOPKINS UNIVERSITY

1882

XUM



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"Si l'on veut lire l'admirable ouvrage de Tacite sur les mœurs des Germains, on verra que c'est d'eux que les Anglois ont tiré l'idée de leur gouvernement politique. Ce beau système a été trouvé dans les bois."—*Montesquieu.*

"Das Studium des Gemeindewesens in Amerika, dem Sie sich jetzt widmen, wird sicher sehr fruchtbar werden. In der Gemeinde ist die grosse Mehre der Bürger mehr als im State veranlasst, an öffentlichen Angelegenheiten und gemeinsamen Interessen zu betheiligen. Die Gemeinde ist überdem auch die Vorschule für den Stat. Der Bau der Republiken hat seine Grundlage in der Selbstständigkeit der Gemeinden."—*Bluntschli.*

"All New England is an aggregate of organized democracies. He that will understand the political character of New England must study the constitution of its towns, its schools, and its militia."—*Bancroft.*

"If you wish to see Old England, you must go to New England."—*Freeman.*

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The reproduction of the town and parish systems of Old England under colonial conditions in America is one of the most curious and suggestive phenomena of American history. The process was so quiet, so unobstrusive, so gradual, so like the growth of vegetation in springtime—in short, so *natural*, that it seems to have escaped the notice of many historians of the larger colonial life. They have dealt with questions of church and state, with patents and charters, Pilgrims and Puritans, Baptists, Quakers, wars, witches, colonial unions and struggles for national independence, but the origin and growth of that smaller communal life within the colonies has been somewhat neglected. And yet these little communes were the germs of our state and national life. They gave the colonies all the strength which they ever enjoyed. It was the towns, parishes, and counties that furnished life-blood for church and state, for school and college, for war and peace. In New England especially, towns were the primordial cells of the body-politic. In all the colonies, civic communities were the organic tissues, without which the colonial body would have been but a lifeless mass.

At the opening meeting of the American Association for the Advancement of Science, which met in Boston, August 26, 1880, Mr. Lewis H. Morgan, in his inaugural address, paid the following tribute to the towns of New England: "Your Excellency, Governor of the Commonwealth of

Massachusetts, without intending to depart from the proprieties of the occasion, it may be proper to say that those of us who come from beyond the Hudson can but feel that in entering New England we reach the birthplace of American institutions. To some of us it is the land of our fathers, and we cannot approach the precincts of their departed presence without the sentiment of filial veneration. Here they laid broad and deep the foundations of American freedom, without which American science would have been an infant in leading-strings to-day. Here was developed the *township*, with its local self-government, the basis and central element of our political system. Upon the township was formed the county, composed of several towns similarly organized; the State composed of several counties, and, finally, the United States, composed of several states; each organization a body-politic, with definite governing powers in a subordinate series. But the greatest of all, in intrinsic importance, was the township, because it was and is the unit of organization, and embodies the great principle of local self-government. It is at once the greatest and the most important of American institutions, because it determines the character of the State and National Government. It is also historically significant because it shows that American Democracy may justly claim to be the daughter of that Athenian Democracy which generated and produced the most signal outburst of genius and intellect in the entire history of the human race. Nor is this presage of the future without its own significance. What was achieved for philosophy and art under the free institutions of Athens may yet be achieved for science in the evolution of the same forces in America."[1]

Mr. Morgan's recognition of the historic significance of New England towns, in their relation to science and national growth, addressed as this recognition was to the chief magistrate of Massachusetts, recalled to mind the words of Gov-

[1] Report in Boston Journal, August 26, 1880.

ernor Long himself in an oration delivered in June, 1877, on the occasion of the one hundred and fiftieth anniversary of the founding of the town of Hanover, Massachusetts. His words give an inner view of the life and character of New England towns, a subject which Mr. Morgan viewed chiefly in its external relation to history and science. "I believe in our towns," said Mr. Long. "I believe in their decency and simple ways. I believe in their politics, in their form and administration of government, in their school and church influences, in their democratic society, in their temperance organizations, in their neighborly charities, in their proud lineage and history, and in the opportunities they offer. I know that our fathers who founded them and put their money and labor and their hopes into the institutions and character of these towns, did not mean they should decay; that they should be abandoned, that any native born in them should turn his back upon them, or be prouder of a home elsewhere than in them. Their worth is not more in the things that are seen than in the things that are not seen; not more in the farm and shop and academy and railroad, than in the mellow, pious, soft, refining influences of character which pervades them like an atmosphere, and exhibits to you in humble cottages men and women plain in manner and dress, but of rare intelligence and refinement; men who think and read and are scholars and gentlemen, however humble their occupation; women who are poets and sisters of charity; where else do you find the like?"[1]

It would be easy to multiply eulogies of New England towns, but difficult to voice more clearly their intrinsic worth and far-reaching historic significance than have the men whose words have been quoted. Seen from within, these New England towns and villages are as full to-day of youthful freshness, quiet beauty, and energetic life as the demes of Grecian Attika, in the springtime of the world; seen from

[1] Report in Old Colony Memorial, Plymouth, Mass., June 21, 1877.

without as an organic, deeply rooted, wide-expanding growth, New England's local institutions are like the tree Igdrasil, of Scandinavian mythology, for the principle of local self-government which they embody takes hold upon all the past and upholds the future in its spreading branches.

The importance of towns in the social and political structure of New England has been recognized in passing by discerning travellers like Lafayette and Tocqueville, and, indeed, by certain New England publicists and historians; but most of these notices have been extremely cursory and more or less inaccurate. There is also a vast number of local histories, but they generally avoid the one important question, the *genesis* of the town as an institution. Most writers, especially local historians, assume that New England towns are either the offspring of Puritan virtue and of the Congregational church, or else that they are the product of this rocky soil, which is supposed to produce free institutions spontaneously, as it does the arbutus and the oak, or fair women and brave men. But the science of Biology no longer favors the theory of spontaneous generation. Wherever organic life occurs there must have been some seed for that life. History should not be content with describing effects when it can explain causes. It is just as improbable that free local institutions should spring up without a germ along American shores as that English wheat should have grown here without planting. Town institutions were propagated in New England by old English and Germanic ideas, brought over by Pilgrims and Puritans, and as ready to take root in the free soil of America as would Egyptian grain which had been drying in a mummy-case for thousands of years.

The town and village life of New England is as truly the reproduction of Old English types as those again are reproductions of the village community system of the ancient Germans. Investigators into American Institutional History will turn as naturally to the mother-country as the historians of England turn toward their older home beyond the Ger-

man Ocean. "For the fatherland of the English race," says Green in his History of the English People, "we must look far away from England itself. In the fifth century after the birth of Christ the one country which we know to have borne the name of Angeln or England lay within the district which is now called Sleswick, a district in the heart of the peninsula that parts the Baltic from the Northern seas. Its pleasant pastures, its black-timbered homesteads, its prim little townships looking down on inlets of purple water, were then but a wild waste of heather and sand, girt along the coast with a sunless woodland, broken here and there by meadows that crept down to the marshes and the sea. . . Of the temper and life of the folk in this older England we know little. But from the glimpses that we catch of it when conquest had brought them to the shores of Britain, their political and social organization must have been that of the German race to which they belonged. In their villages lay ready formed the social and political life which is round us in England to-day. A belt of forest or waste parted each from its fellow villages, and within this boundary or mark the 'township,' as the village was then called, from the 'tun' or rough fence and trench[1] that served as its simple fortification, formed a complete and independent body, though linked by ties which were strengthening every day to the townships about it and the tribe of which it formed a part. . .

"The woodland and pasture-land of an English village were still undivided, and every free villager had the right of turning into it his cattle and swine. The meadow-land lay in like manner open and undivided from hay-harvest to spring. It was only when grass began to grow afresh that the common meadow was fenced off into grass-fields, one for each household in the village; and when hay-harvest was over

[1] According to the laws of the Colony of Massachusetts Bay, the boundaries of Massachusetts Towns were to be "a greate heape of stones, or a trench, of six foote long & two foote broade."—Mass. Col. Rec., II., 210.

fence and divisions were at an end again. The plow-land alone was permanently allotted in equal shares both of corn-land and fallow-land to the families of the freemen, though even the plow-land was subject to fresh division as the number of claimants grew greater or less.. . . The life, the sovereignty of the settlement resided solely in the body of the freemen whose holdings lay round the moot-hill or the sacred tree where the community met from time to time to deal out its own justice and to make its own laws. Here new settlers were admitted to the freedom of the township, and by-laws framed and headmen and tithing-man chosen for its governance. Here plow-land and meadow-land were shared in due lot among the villagers, and field and homestead passed from man to man by the delivery of a turf [1] cut from its soil. Here strife of farmer with farmer was settled according to the 'customs' of the township as its elder men stated them, and four men were chosen to follow headman or ealdorman to hundred-court or war. It is with reverence such as is stirred by the sight of the head-waters of some mighty river that one looks back to these village moots of Friesland or Sleswick. It was here that England learned to be a 'mother of Parliaments.' It was in these tiny knots of farmers that the men from whom Englishmen were to spring learned the worth of public opinion. . . . The 'talk' of the village moot . . . is the groundwork of English history." [2]

Thus, English historians, Green, Freeman, and Stubbs, recognize their older fatherland. The origin of the English Constitution, as Montesquieu long ago declared, is found in

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[1] The custom of conveying land by turf and twig, *ramo et cespite*, according to mediæval usage, was once known in Salem. In 1695, John Ruck granted a homestead to his son Thomas before witnesses, and, as part of the act of conveyancing, took hold of a twig in the garden, saying, "Here, son Thomas, I do, before these two men, give you possession of this land by turffe and twigg."—Felt, Annals of Salem, I., 187. Cf. Laveleye, Primitive Property, 121, note 3.

[2] Green, History of the English People, Vol. I., Ch. 1.

the forests of Germany. If we read, said this illustrious Frenchman, who was as fervent an admirer of England as Tocqueville was of America, if we read the admirable work of Tacitus concerning the manners and customs of the Teutons, we shall find that it was from them that the English derived their political system.[1] Voltaire was accustomed to ridicule Montesquieu for his Teutonic predilections, but the researches of Palgrave, Kemble, Stubbs and Sir Henry Maine have established the truth of this Germanic view. The tree of English liberty certainly roots in German soil. Proofs of this fact were first made fully apparent to English historians by the labors of those patient German specialists, Von Maurer, Hanssen, Meitzen, Nasse and George Waitz, who have shown in the early Constitutional History of Germany the same organizing power as Canon Stubbs has exercised in writing the Constitutional History of England. The amount of valuable details which German specialists in Institutional History have dug up from the rich soil of mediæval Germany is something marvellous to contemplate. To attempt even a résumé in a sketch of this character would be to attempt the impossible. But along the lines of this pioneer work, through guiding vistas of light now made in the German forests by years of German toil, the American student may wander at will, noting such points as may prove of suggestive interest to the younger Germany and the newer England on this side of the Atlantic.

The student has only to cross the river Neckar from Heidelberg to find himself in the Odenwald, or forest of Wodan, the most classic as well as the most primitive region in all Germany. The student has only to travel a few hours southward from the Odenwald and the Bergstrasse to reach the heart of the Black Forest. In either of these parts of Germany he can discover surviving features of the ancient village community system as described by Tacitus. With the Ger-

[1] Montesquieu, Esprit des Lois, Livre XI., Ch. 6.

mania for a guide-book, let us follow the student through a Teutonic village. It is very generally known, says Tacitus, that the Germans do not live in cities, and also that they have no fondness for joining their plantations together. They settle apart in different places, according as spring, or open field, or woodland attracts their fancy. Villages they plant, not according to our fashion, with closely connected or adjoining buildings, but every man surrounds his own house with a fence, either for security against accident by fire, or because they are such bungling architects.[1]

There are two facts in this statement by Tacitus which deserve special attention. The first fact is, that by the expression, "they settle apart in different places," *colunt discreti ac diversi*, is meant the individual farm or patriarchal hamlet, what the Germans call a Hof; the second fact is, that by the expression, "villages they plant," *vicos locant*, is meant the village community, what the Germans call a Dorf. Tacitus probably saw what every stranger sees to this day on visiting the country villages of South Germany, namely, compact settlements, but with separate buildings and home lots, exactly like those of a New England farming town. Straggling hamlets, or isolated farms, there also must have been in the days of Tacitus as in the days of our Puritan forefathers. Doubtless many of these German hamlets grew into villages, just as the hamlets or villages of New England have in many cases grown into towns. The ending *heim* in many village names along the Bergstrasse, like Dossenheim, Weinheim, is clear indication of the original patriarchal character of such places. The German *heim* is the same as the English *home*, Saxon *hām*, which appears in the names of so many old English places like Doddingham, Billingham, Petersham, Hampton (or Hometown), and the like. The distinction between the hamlet and the village is perhaps one of degree rather than one of kind. The Hof became the Dorf

[1] Tacitus, Germania, Cap. XVI. (Baumstark's edition for Students, 58).

by a natural process of development. No one can say where the hamlet ends and the village begins.

But let us proceed upon our tour of observation. The traveller of to-day will find in the interior of the Odenwald far more primitive villages than in the Black Forest. The latter is now traversed by government roads in every direction, and even a railroad has been constructed in these latter days, so that hurrying travellers can behold the scenery from the cars! Things are no longer what they were when Auerbach wrote his Black Forest Tales for children. But there is still much left to amuse and instruct the students who tramp through the Forest every Whitsuntide vacation (*Pfingsten*) from Heidelberg, Freiburg, and other German universities. The Odenwald is also visited, but not so frequently, because it is more difficult in that primitive region to obtain food and drink, except upon one or two main routes. Traversing either the government chaussées or the common dirt roads through the Odenwald or Black Forest, the student may explore the numerous valleys and forest villages, which are to this day skirted with evergreen forests, dimly suggesting to his fancy the ambuscades into which the Roman legions fell when they penetrated the Teutoburger Wald. In such forests liberty was nurtured. Here dwelt the people Rome never could conquer. In these wild retreats the ancient Teutons met in council upon tribal matters of war and peace. Upon the forest hilltops they worshipped Wodan, the All Father; in the forest valleys they talked over, in village-moot, the lowly affairs of husbandry and the management of their common fields. Here were planted the seeds of Parliamentary or Self-Government, of Commons and Congresses. Here lay the germs of religious reformations and of popular revolutions, the ideas which have formed Germany and Holland, England and New England, the *United States* in the broadest sense of that old Germanic institution.

What now are the external characteristics of one of these primitive forest-villages? Emerging from the wood or

rocky defile, the traveller comes suddenly upon a snug little settlement perched upon the sunny hillside or nestling in some broadening meadow. Surrounded by forest, this settlement is indeed a Mark, or, as Americans would say, a "clearing." Bædeker is here better than Tacitus, and you will discover that the place is called perhaps Schoenwald, or Beautiful Forest, or possibly Schoenau, or Beautiful Meadow. Such villages are usually planted near a brook or some constant stream, and frequently bear a name like Lauterbach. Names of localities derived from brooks, streams or rivers are familiar in New England. An ancient part of Salem (that part which was the home of George Peabody, the philanthropist) was once known as Brooksby. These German villages are made up of little houses, separate from one another, but withal tolerably compact, with outlying fields divided into narrow strips, as shown by the growing crops. Let us enter one of these villages and see how the houses are constructed. The first impression is that they are rather rude and bungling. That is exactly what Tacitus thought when he saw their prototypes. Low-roofed and thatched with straw, which is held down perhaps by stones, with wide-spreading eaves and rude wooden framework, filled in oftentimes with rough stones plastered together, these huts frequently remind the modern traveller of Swiss chalets. The inhabitants appear to live in the upper part of these one-storied buildings, for there is a stone staircase outside leading up to an elevated doorway, and underneath there is often a stable for cattle, although in some houses calves and children may be seen growing up together. Underneath the projecting roof at the gable-ends of the houses are beehives of wicker work, upheld by a beam or shelf. If a stranger enters one of these forest villages on a day in June, he will hear nothing but the humming of the bees; for men, women and children are all in the hay-fields.

And this brings us to a consideration of that old system of co-operative husbandry and common fields which are the

most peculiar features of a German village community. In the haying season, to this day, in many parts of Germany, the villagers may be seen gathering the grass-crop together. To this day, in some localities, the fallow and stubble lands are used in common by the whole village for the pasturage of cattle and the feeding of swine. Village cowherds, swineherds, and gooseherds are still employed in many parts of Germany. To this day the arable land of the Mark is tilled under certain communal laws. The time of harvesting and the time of allowing the cattle and swine of the village to enter upon the stubble lands is still determined by agreement among the inhabitants. The narrow, unfenced strips of land stretching up the hillsides to the forest-border bear manifest evidence that they were originally formed by the allotment of some ancient common field.

In the *Contemporary Review*, July, 1881, there is a pleasant picture of village customs in the Thuringian Forest by Professor W. Steadman Aldis, in an article entitled, "Notes from a German Village." The village described is Gross Tabarz, where the Professor spent a summer vacation with his family. "The economic state of the village, which is only a type of many others in the district, is decidedly primitive. Every well-to-do family has its little strip of ground, or sometimes several such strips have been accumulated in one family by inheritances or intermarriages. The village butcher, with whose family ours was soon on tolerably intimate terms, was the owner, or at least the cultivator with perpetual rights, of many little fields situated in almost as many parishes. . . . During the spring and summer, while the grass in the meadows is allowed to grow for hay, or for *Grummet*, as the second crop is called, the cows and geese are alike banished from the private land, and are taken under the charge of a *Hirt* on to the common land, the borders of the roads, or the small bits of mountain meadow among the forests not allotted by the *Gemeinde* to private owners. . . . After the second crop of hay has been all gathered in, which is supposed

to be achieved by the beginning of September, and for the gathering of which the village schools have a special holiday, the meadows are open to the cattle and geese of all the inhabitants, and the *Hirts* have no longer such an arduous task. The pasture land becomes again for the time the property of the Commune, the 'common land' which it originally was, and is dotted with red oxen or snow-white geese. During the months of July and August, the whole population, male and female, is for the most part occupied in getting in the crops of different kinds, which seem to form a continuous series, beginning with the first crop of hay, at the beginning of July, and ending with the *Grummet*, or second crop, early in September."

Let us now glance at our guide-book and see what Tacitus says concerning the customs of the ancient Germans in the matter of landholdings. Lands, he says, are taken up periodically by the whole body of the cultivators in proportion to their number. These lands they afterwards divide up among themselves according to their dignity or title. The wide extent of open space renders the division of fields an easy matter. The situation of the plough-lands they change every year, and there is land enough left over. They do not attempt to improve by labor so vast and fertile a tract of ground, for the sake of planting orchards, laying out grass-plots, and irrigating gardens; the only crop they want is wheat or barley.[1]

In the custom, mentioned by Tacitus, of shifting the situation of the ploughed lands every year, we may perhaps see a germ of the famous Three Field System, which is of some importance in tracing the historical connection between the agrarian customs of England and those of ancient Germany. The system was probably in existence before the Saxon conquest of Britain, and has survived in both countries until our own times.

[1] On the exposition of Cap. XXVI. of Tacitus' Germania, cf. Baumstark's edition, Nasse's Agricultural Community of the Middle Ages (Appendix), and Dr. Denman W. Ross's "Studies," I., 23; II., 12.

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Imagine a river valley, like that of the Neckar, which skirts the Odenwald, and a little stream flowing down from the hillside forest into the river below. In the Odenwald many villages are built along the line of such streams or brooklets, which serve as a kind of water main-street for the villagers living along the bank. The houses lie apart, as Tacitus says in his description of a German village, and every villager has his own house-lot and enclosure. The whole village domain is the Mark, or clearing. It belonged originally and belongs still to the village community as an organized body, as a civic unit. Certain parts, of course the best, were originally set off for tillage; other parts remained common for wood, pasture, and meadow, Wald, Weide, and Wiese. The Three Field System relates, however, not to the latter divisions, but to the arable land and to that only.

The land used for tillage was divided into three great fields, first, second, and third. Each villager had one or more lots in each great field, but the peculiarity of the system lies in the fact that every villager was obliged to plant his lot or lots in each great field according as the whole village should determine. For example, if the proprietors, in village-mote assembled, should resolve by a majority to plant the first great field with wheat, an individual proprietor would have no alternative; he must do as his neighbors agree. And so of the second great field, which, perhaps, the villagers would vote to plant with oats or barley; and likewise of the third field, which must lie fallow for one year. A rude system of rotation of crops was customary in all Teutonic farming communities. The fallow land of one year was cultivated the year succeeding; and the spring crop of one field gave place to a winter crop, or else lay fallow in turn. The most interesting fact about this Three Field System is that it indicates a communal spirit even in the management of lands allotted and perhaps owned in severalty; it shows that the arable land as well as the pasture, meadow, and woodland, was under the control of the village community and subject to communal decrees. There is reason to believe, from the

passage in Tacitus above quoted, that the situation of the ploughed lands was changed from time to time, and that land devoted to tillage was afterwards turned into pasture or grass land, and other portions of the village domain were allotted for ploughing in severalty. The custom of redistributing farming lands, after a certain term of years, was very general, not only in Teutonic, but in all Aryan villages. The term varied with different nations and in different communities. Originally, with the Germans, a fresh distribution was probably made every year, but as the Three Field System developed, the term became longer. In Russia, as Wallace has shown in his interesting work, lands were once redistributed every thirteen years. The field meetings of Teutonic farmers for the distribution of lands and the regulation of crops were the germs of English parish meetings and of New England town meetings. The village elders, still so called in Russia, although young men are frequently elected to the office, are the prototype of the English Reeve and Four, and of the New England Town Constable and Board of Selectmen.

In the year 1871 was published, in England, under the auspices of the Cobden Club, a translation of a little German treatise by Professor Nasse,[1] of the University of Bonn, on the agricultural community of the middle ages and inclosures of the sixteenth century in England. It was a work which may be called epoch-making in the history of real property and of communal institutions in Great Britain. It awakened English lawyers to a consciousness of the survival in their very midst of a system of local land tenure older than the Feudal system and dating back at least to the time of the Saxon conquest of Britain. Ever since the days of Blackstone, lawyers had puzzled themselves to account for certain

[1] First mentioned to American readers by Professor William F. Allen in *The Nation*, September 22, 1870, from a notice in Sybel's *Historische Zeitschrift*.

extraordinary customs of village landholding in England, for certain phenomena of joint ownership in commons, like the lammas lands, which were common to an entire village for pasturage, after the 13th of August, old style, or like the so-called "shack lands," which, after the above date, were common to the owners or possessors, but not to the whole village. Lawyers had found no solution to the problem of the origin of such communal practice, except in special privileges granted to tenants by the lord of the manor, or else in immemorial custom.

Professor Nasse derived his facts concerning the existence of such communal landholding in England, from a report of a Select Committee on Commons Inclosure, instituted in order to frame laws for the dissolution of common holdings, by order of the House of Commons, 1844, and from the reports of the Board of Agriculture, about the beginning of the present century, under charge of Sir John Sinclair. These latter reports were abridged by Mr. Marshall, a man often referred to by Sir Henry Maine. It appears that Marshall at this very early period was strongly impressed by the mere facts concerning the vast extent of communal landholdings in England, and had come to the conclusion that once "the soil of nearly the whole of England was more or less in a commonable state."[1]

The reports above mentioned revealed some most remarkable facts concerning the survival of communal landholdings in parishes where the Feudal system was supposed to have centralized all forms of folkland and to have destroyed all free peasant proprietaries. In Huntingdonshire, out of 240,000 acres, 130,000 were found to be held in common, that is, by no individual owners in particular, but by village or farming communities, under the supremacy of some manorial

[1] Nasse on the Agricultural Community of the Middle Ages and Inclosures of the Sixteenth Century in England. London: Macmillan & Co., 1871.

lord. In Wiltshire, by far the largest part of the land was thus held; in Berkshire, one half the county; in Warwickshire, 50,000 acres; and in Oxfordshire, over one hundred parishes held lands on the communal system; and in Northamptonshire eighty-nine parishes perpetuated this ancient type of village landholding. Nasse says, "In by far the greater part of England the old English peasantry . . . held the land in common, precisely as the present villagers of the greater part of middle Europe hold theirs." [1]

There were found to be three sorts of commonable ground: 1, the arable; 2, meadow; and 3, pasture land. The arable land was found very generally to be subject to certain communal laws in regard to the rotation or harvesting of crops. The Three Field System, as already described, was frequently discovered in English parishes, and it was also noticed that the three great divisions of arable land were often separated from one another by broad strips of grass land, which were kept common, in order to eke out the pasture in the fall of the year after the crops had been gathered and the stubble lands thrown open to the village cattle. The meadow lands were either held wholly in common, or by a system of shifting severalties, whereby grass-lots were assigned for the season to individuals, and were then again made common for pasturage and subject to a fresh distribution.[2] Community of pasturage was found to be of very general occurrence in the rural districts of England. There were two sorts: stinted pasturage, *i. e.*, where villagers were limited as to the number

[1] Nasse, 6, 9, cf. extract from Marshall, p. 100: "Each parish and township (at least in the more central and northern districts) comprised different descriptions of land, having been subjected during successive ages to specified modes of occupancy under ancient and strict regulations, which time had converted into law. These parochial arrangements, however, varied somewhat in the different districts, but in the more central, and greater part of the kingdom, not widely."

[2] This custom was maintained for years in the farming communities of Plymouth and Salem, Massachusetts.

of cattle they could pasture in the common field (for example, it was often the rule that no one should pasture in common more stock than he could keep through the winter); and unstinted pasturage, where there was no such limit.

Such phenomena as these had been frequently observed in England and Scotland. Sir Walter Scott remarked such agricultural customs in the Orkney and Shetland islands, but was unable to explain them satisfactorily to himself. It was, as Sir Henry Maine says, by using Von Maurer's results as a key that Nasse was able to decipher the whole system. The English Agricultural Community of the Middle Ages, which survived the crushing weight of feudalism and has perpetuated itself down to our own times, stands forth as the historic survival of the Teutonic village with its Three Field System. Under the very heel of the Norman conqueror, the old communal spirit of the Saxons endured. It endured in the townships and parishes of England. It has endured upon almost every Lord's manor, where there was almost invariably a large tract of land known as the Common or Lord's Waste. Upon this tract, landless tenants preserved certain immemorial common rights, for example, to wood and turf, to grass and pasture. These rights were only vestiges of the ancient rights of Saxon villagers, but these rights to commonage serve as a connecting link between the manorial system of Mediaeval England and the Village Community system of Ancient Germany. The periodical assignment of portions of the Lord's Waste for cultivation by the peasants was in the Court Leet (German *Leute*, people) or popular court of the Manor, in which court all minor matters relating to tenants were adjusted. In the customs of the Court Leet and of the old English Parish meeting, which is but the ecclesiastical outcome of old Saxon self-governing assemblies, is to be found the prototype of New England town meetings.

Nasse has truly observed that "agrarian relations have a tendency to a more lasting duration than other human insti-

tutions."[1] The extent of Common Lands in England, which have survived, not only Feudalism, but Parliamentary Acts for Commons Enclosure, is something enormous. The report of landowners, prepared by the Local Government Board a few years ago, shows that there are still over a million and a half acres of Common Land,[2] and the report of the Commons Preservation Society says that "five million acres of Common Land have been enclosed since Queen Anne's reign." Much of the land remaining unenclosed is called "Town Land" or "Commons"; it consists of great open spaces and public fields or heaths, upon which villagers pasture their cattle and boys play ball. Societies have been formed for the preservation of these tracts, especially when, like Hampstead Heath, they are in the vicinity of large cities. Essays on the advantage of "Open Spaces," and on the "Future of Our Commons," have appeared in the English reviews. Mr. Lefevre, in a letter to the Times, quoted by Octavia Hill, says: "The right of the public to use and enjoy Commons (which they have for centuries exercised), it must be admitted, is not distinctly recognized by law, though there is a remarkable absence of adverse testimony on the subject. The law, however, most fully recognizes the right of the village to its green, and allows the establishment of such right by evidence as to playing games, &c., but it has failed as yet to recognize the analogy between the great town and its Common, and the village and its green, however complete the analogy may be. But some of these rights of Common, which are now so prized as a means of keeping Commons open, had, if legal theory is correct, their origin centuries ago in custom. For long they had no legal existence, but the courts of law at last learned to recognize custom as conferring rights. The custom has altered in kind; in lieu of cattle, sheep, and pigs turned out to pasture on the Com-

[1] Nasse, 13.

[2] Octavia Hill, "Our Common Land," 8.

mons, human beings have taken their place, and wear down the turf instead of eating it."

We have seen how the Saxons transferred from ancient Germany to the eastern part of England the village community system and agrarian customs of their forefathers; let us now see how the dominant or communal idea of these villages and some of these old Teutonic practices in the matter of landholding were transferred across another and broader sea than the German Ocean, and took root in the eastern parts of New England. States are not founded upon shipboard, though the vessel be as staunch as the Mayflower, and constitutions cannot be framed upon paper, though it be the Pilgrims' compact.

A band of Saxon pirates tossing upon the waves of the North Sea and preparing to descend upon the coasts of Britain could not constitute a state, in passage, however excellent their discipline, however faithful their allegiance to the authority of Hengist and Horsa. But those Saxon pirates bore with them a knowledge of self-government which, when rooted in the soil of Britain, grew into Saxon England and the law of the land. Magna Charta and the Bill of Rights are only the development of those germs of liberty first planted in the communal customs of our Saxon forefathers. The Constitution of England is not written at all; it is simply a rich but sturdy growth of popular institutions, derived originally from the forests of Germany and transplanted across the sea. What is thus maintained and acknowledged concerning our Saxon forefathers may likewise be urged concerning the Pilgrim fathers. They were merely one branch of the great Teutonic race, a single offshoot from the tree of liberty which takes deep hold upon all the past. This offshoot was transplanted to Plymouth, and it grew up, not like Lebanon, filling the whole earth, but, to all appearances, like the first Saxon settlements of England and like other forms of local self-government, budding, spreading, and propagating after its kind.

XUM

The importance of the territorial factor in the constitution of Plymouth Colony has never been sufficiently emphasized. The personal factor, *i. e.*, the character, the virtues, and the religious zeal of the Pilgrims, do not need to be further extolled. Americans are in no danger of forgetting the faith and heroism of those men and women who made their flight in winter across a barren sea to preserve the rights of conscience, the rights of Englishmen, and good old English ways; but Americans, in their enthusiasm for *men*, have failed to notice certain important and fundamental *things* in the origin of Plymouth. Underneath all the phenomena of Pilgrim zeal and suffering, more enduring than the Pilgrims' noble compact, unnoticed like the upholding power of earth, lies the primordial fact of the local settlement of the Pilgrims in a form of civic community older than Saxon England, older than the primitive church, and older than the classic states of antiquity. That form of civil community was based upon land.

The elements of permanence and continuity in all civil society are based upon the soil and the material interests connected with it. Generations of men are born and pass away, but an abiding relation to some fixed territory keeps civil society together and constitutes a state in the true sense of that term. Government may exist upon shipboard or among wandering tribes of Indians, but no state or body-politic can possibly endure unless it be grounded upon territorial interests of a stable and lasting character. No state without a people, and no state without land. These are the axioms of political science.

Let us now inquire into the exact nature of the commonwealth which the Pilgrims actually founded. Mourt's Relation (so called from George Morton, who published it in England in 1622), a journal of the beginnings and proceedings of the English plantation settled at Plymouth in New England, a journal written, says Mr. Dexter, from day to day on the ground, gives us the best contemporary account of

the mode in which the first village republic in New England was planted. None of the so-called colony records go back to the foundation of the colony itself. But Mourt tells the whole story from the first landing, down to the town meeting of April 2, 1621, when Mr. John Carver was re-elected governor, being a man well approved.

"After our landing and viewing of the places as well as we could, we came to a conclusion [December 30], by most voyces, to set on the maine Land, in the first place on a high ground where there is a great deale of Land cleared and hath beene planted with Corne three or four years agoe, and there is a very sweet brooke runnes vnder the hillside and many delicate springs of as good water as can be drunke,. . . Thursday, the 28. of December [January 7, N. S.] so many as could went to worke on the hill where we purposed to build our platforme for our Ordinance, and which doth command all the plaine and the Bay, and from whence we may see farre into the sea, and might be easier impayled, having two rowes of houses and a faire street. So in the afternoon we went to measure out the grounds, and first, we tooke notice how many Families they were, willing all single men that had no wiues to ioyne with some Familie, as they thought fit, that so we might build fewer houses, which was done, and we reduced them to 19. Families; to greater Families we allotted larger plots, to euery person halfe a pole in breadth, and three in length, and so Lots were cast where euery man should lie, which was done, and staked out."—[Mourt's Relation, edited by H. M. Dexter, 64, 67, 68.]

On this tract of cleared land, or the village Mark, on the north side of the "very sweet brooke," which, like springs spoken of by Tacitus, still attracted Teutonic fancy, and which is known to this day as the Town Brook, arose the first town or village community in New England. The first work was the construction of the so-called Common House, "about twenty foot square," says Bradford, "for their common use, to receive them and their goods." The land was

taken possession of as a communal domain, and the first labor bestowed upon it was communal labor. But the Pilgrims, like the ancient Teutons, knew well that a principle of individuality must enter into the development of communal life. Like the Teutons, the Pilgrims regarded the family as the unit of social order, and gave scope for family interests in the division of house-lots and in the construction of private dwellings. Like the Teutons again, the Pilgrims took up land in proportion to their number and immediate wants. Speaking of the size of the family allotments, the journal says, "We thought this proportion was large enough at the first, for houses and gardens, to impale them around, considering the weakness of our people," etc. Here, too, by a curious chance, an old Teutonic idea appears in the notion of fencing and impaling. The radical idea of a town (from *Tun, Zun*, modern German *Zaun*, a hedge) is that of a place hedged-in, for the sake of protection.

"Tuesday the 9. January," [19th N. S.] continues the journal, "was a reasonable faire day, and wee went to labour that day in the building of our towne, in two rowes of houses for more safety: we divided by lott the plot of ground whereon to build our Towne."

Professor Parker, in his paper read before the Massachusetts Historical Society on "The Origin, Organization, and Influence of the Towns of New England,"[1] was condemning original sources when he criticised Mr. Baylies for using the word "Town" in his Historical Memoirs of New Plymouth as descriptive of the Plantation made in 1620. Baylies only paraphrased the quotation above made when he said the emigrants found "a high hill which could be fortified in a manner so as to command the surrounding country," and resolved "to lay out a town."

Palfrey, in his history of New England, says "The name town first occurs in the record of the second colonial meet-

[1] Proceedings of the Mass. Hist. Soc., Jan., 1866.

ing of the Court of Assistants, in connection with the naming (in 1630) of Boston, Charlestown, and Watertown."[1] This statement may have been intended to apply solely to the Massachusetts colony, but inasmuch as the author is calling attention to the "early origin" of New England Towns, it is but fair to note that the name "Town" occurs ten years earlier than 1630, and in the first records of Plymouth. And the word is frequently used in Young's Chronicles of the Pilgrim Fathers and in Plymouth Colony Records in such a clear sense that no one can possibly doubt but that Plymouth village communities had not only the name of "Town" but the actual thing, yes, the old Scandinavian *Thing*, the Saxon *Tun Gemot*, in their frequent Town Meetings. "There already—ay, in the Mayflower's cabin, before they set foot on shore," said Rufus Choate, "was representative government . . . there already was the legalized and organized *town*, that seminary and central point, and exemplification of elementary democracy. . . . There was reverence of law,"[2] and upon this ancient Saxon basis, the Devonian rock of England, were founded the institutions of a new world.[3]

The original idea of New England Towns, like that of their Old English and Germanic prototypes, was that of a village community of allied families, settled in close prox-

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[1] Palfrey, History of New England, I., 380.

[2] Life and Writings of Rufus Choate, I., 285.

[3] In a monograph upon Plymouth Plantations will be shown the influence of English precedent upon Plymouth law and institutions. The ecclesiastical theory that "The Town corporation is the offspring of Puritan Congregationalism," asserted strangely enough in reference to Plymouth Colony (which was not Puritan but Separatist) by Dr. Joseph S. Clark, in his Historical Sketch of the Congregational Churches of Massachusetts, (p. 56), is entirely untenable, and so likewise is the theory of Professor Parker, Frothingham, and other writers, that the Town system is peculiarly the product of New England and not based upon precedent. There is scarcely a feature of New England Town Life which has not its prototype in the municipal history of the mother-country. Studies illustrating this view have been made of the leading Town Institutions of Massachusetts.

imity for good neighborhood and defense, with homes and home lots fenced in and owned in severalty, but with a common Town Street and a Village Green or Home Pasture, and with common fields, allotted outside the Town for individual mowing and tillage but fenced in common, together with a vast surrounding tract of absolutely common and undivided land, used for pasture and woodland under communal regulations. It is important to observe that, historically speaking, the word "Town" applies more particularly to the village itself, and that the word "Township," which is of *very* common occurrence in the early local annals of New England, better characterizes the Town's landed domain. It is true that the latter term has fallen into disuse in New England, and fortunately so, for with the definite legal idea now attached to this word Township in the Western States, as a tract of land six miles square, the term no longer characterizes our Towns, which are far from being of any definite size or of any regular pattern. The word "Town" is now almost universally employed in New England to characterize the whole extent of the Town's domain, and properly, for almost everywhere population has swarmed from its old village-hive, and houses are now built from one end of the Town to the other. But it is curious to see how popular usage still clings to the old idea, when, for example, persons living at the "ends of the Town," talk about going "into Town," "into the village," or to the "centre." The idea of a Town is like that of the Greek ἄστυ in distinction from the πόλις; or the Latin *urbs* in distinction from *civitas*. This historical view is borne out by the definition of a "Town" given by President Dwight in his famous Travels in New England and New York, begun at the close of the last century, when he wrote, "You must remember that by a *Town* I all along intend a collection of houses in the original village, and not those of the township."

Let us turn now to an early description of the Town of Plymouth, written by Isaack de Rasieres, a French Protestant in the service of the Dutch West India Company as

Chief Commissary of New Netherlands (New York), who visited Plymouth in 1627 upon an embassy, and whom Governor Bradford called "a man of fair and genteel behavior." De Rasieres wrote concerning New Plymouth an interesting letter, which was discovered some years ago in the archives at the Hague[1] by John Romeyn Brodhead, Secretary of the American Legation at London. The letter was first printed in the Collections of the New York Historical Society. The following is a brief extract:

"New Plymouth lies on the slope of a hill stretching east towards the sea-coast, with a broad street about a cannon shot of eight hundred [yards] long, leading down the hill, with a [street] crossing in the middle, northwards to the rivulet, and southwards to the land. The houses are constructed of hewn planks, with gardens also enclosed behind and at the sides with hewn planks, so that their houses and court-yards are arranged in very good order, with a stockade against sudden attack; and at the ends of the streets there are three wooden gates."[2]

Town gates and stockades were very common in early New England villages, where they served not only for defense, but for agrarian and pastoral purposes. Upon the frontier, for example in the Connecticut Valley, palisaded Towns were at one time a military necessity. The original idea of a Town reappears in the local records of Northampton, Hatfield, Deerfield, and Greenfield; for example, John Dickinson of Hatfield was allowed, by vote March 6, 1690, "liberty to remove his house into town" and retain his lot outside provided he do his share of fortifying and build again upon his lot when he could do so without fear of the Indians. "For

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[1] The use of the article in the name of this Town, *the* Hague, German *der Haag*, French *la Haye*, is extremely interesting as an historical survival. Here is a developed Teutonic village called to this day *The Hedge*, just as the English word Town perpetuates the idea of the Saxon Tun.

[2] Collections of the New York Historical Society, New Series, Vol. II.

many several years," says Judd in his manuscript collections on Hatfield, "the inhabitants were cooped up within these limits. Many had huts or houses in the street."[1] In Greenfield it was voted on September 10, 1754, "to picquet three houses in this district immediately." Individual houses were frequently thus impaled, and it is not improbable that the use of picket fences to this day for separate inclosures in the rural districts may be a remote survival of that old Saxon

[1] Judd, MS., Hadley and Hatfield, I., 148. The late Sylvester Judd, author of the History of Hadley, one of the best local histories ever written in New England, left behind him an extensive manuscript collection, in many bound volumes, of materials relating to the history of the Connecticut Valley, particularly of Northampton and of the towns in that environment. It is unfortunate for this latter Town, one of the richest and rarest in New England for historical interest, that so capable a man as Mr. Judd was never in position, by reason of his pressing duties as editor of a country paper, to write a history of the valley. But his manuscript treasures have now been purchased by public-spirited citizens, and it is to be hoped that this collection, which is really the corner-stone of Northampton history, may be the first acquisition of the Forbes Library, that recent munificent endowment of over two hundred thousand dollars by a late citizen of the Town for a free public library composed "of works of science and the arts, in their broadest acceptation, of ancient and modern history, and of the literatures of our own and other nations." (Extract from the Will of Judge Forbes.) The Forbes Library, the Clark Institute, Smith College and the Smith Charities are noble institutions, and yet they sprang, historically, from seed sown by those simple agrarian communities, Northampton and Hatfield, which are worthy of more than passing attention. The Town Records of Northampton are of remarkable interest and full of cases of "survival." Secluded from association with the Bay Towns as were these inland communities of the Connecticut Valley, some of them like Windsor, Springfield and the Towns above, are really more interesting than many that lie farther to the eastward. These Valley Towns are not only quite as ancient as the average of seventeenth century Towns, but on the whole rather more conservative, less influenced even by Puritan innovations.

To the courtesy of the Judd Family and of Mr. J. R. Trumbull, the writer of this monograph has been indebted for the use of the Judd manuscripts at various intervals and for various purposes; also to Mr. Billings, Register of Deeds in the County of Hampshire, for access to early records of the county court and for copious extracts from the Town Records of Hatfield.

instinct for palisading every individual home and house-lot, as we have already seen in the case of Plymouth.

An interesting commentary on the relation of the individual home and hamlet to the Town or village community, similarly enclosed, is given in Nasse's Agricultural Community in the Middle Ages (15), where he says, "The names of places show that, among the Saxons, only the dwelling-place—that is, house and homestead—was inclosed; the arable land and the pastures being open and unfenced. Out of 1200 names of places which Leo collected from the first volume of Kemble's 'Codex Diplomat. Ævi Saxonici,' 187 were formed with tun. This word, it is well known, is identical with the modern 'town,' the Dutch tuin (garden), and the German zaun, and was, as R. Schmid remarks, less used by the Anglo-Saxons to signify 'that wherewith a space is inclosed, than the inclosed space itself.' We may, however, see very plainly that it was principally house and homestead which bore this name; for instance, in the laws of Alfred I. §2, in cyninges tune; §13, on eorles tune. Even at the present day the courtyard in the country in England is signified by the word town. Apparently, as was also the case in Germany, not only the individual homesteads, but also several situated near each other, were surrounded by an inclosure; which explains the reason why not only the homestead, but also the whole village was called 'tun.' In many places—for example in the laws of Athelstan II. Fr. §2, where an expiatory fine is to be divided among the poor; as well as in Edgar IV. c. 8—the word 'tun' cannot be intended to be used for individual homesteads, but only for places, a signification which later became the ruling one." Nasse, in a footnote, 3, page 16, says, "The old Jute law prescribes (from 1240 A. D.) iii, chap. 57, *van thunen tho makende* (on making hedges) 'that every village shall be inclosed by a hedge,' and gives detailed rules for the duty of every villager to put up his part of the common fence which enclosed the whole village as well as single farmsteads."

A chapter might be written upon the survival in New England of this ancient institution known as the "Common Fence." The local records of every old New England Town are full of such references. Take the following from the MS. Records of Hatfield Side, January 14, 1660: "Agreed and voted at a side meeting [another case of Old English survival!] that there shall be a common fence made from Goodman Fellows to the landing place, every man fencing the end of his lot, and Isaac Graves to fence his part next to Goodman Bool's meadow lot, the rest to be done in common." May 11, 1663, "Agreed at a side meeting that every man shall set down a stake with the two first letters of his name by every parcel of fence by the 13th of this month." It would be difficult to say which is the more curious, the survival of "old Jute law," or this revival of old English usage. It has taken some time for hedgerows to find root again in New England, but Haywards (not from hay, but from the Saxon *Hege*, wardens of the hedges), Fence Viewers, and Field Drivers, were offices that our ancestors had probably filled in the old country, and they revived them here at once. Hatfield Side voted, May 7, 1662, "that the South Meadow should be cleared of cattle and Horses by Friday next, any cattle without Keeper, or with keeper on mowing ground shall pay 1 shilling each to him that brings them to the pound and 4 pence to the Pound Keeper." The Village Pound, which Sir Henry Maine[1] says is probably older than the Kingdom, was instituted at Hatfield before the Church, before the Town itself, when Hatfield was not yet a Parish of Hadley. This simple enclosure, the Cattle *Tun*, represents a communal idea which was growing in that little hamlet on the west side of the Connecticut river. Already while only

[1] Maine, Early History of Institutions, 263. He says, "There is no more ancient institution in the country than the Village Pound; it is older than the King's Bench and probably older than the kingdom." The name "Pound" is derived from the Saxon *pyndan*, to pen or enclose.

the Pound, Common Meadows and Fences occupied the village mind it was voted "at side meeting that when there is a meeting legally warned, whoever shall not come shall forfeit 1 shilling, whoever shall come a half hour late, 6 pence, whoever shall depart before the close, 6 pence." Verily, here was a budding *Tun* within a Town.

The most striking indication of historic connection between the village communities of New England and those of the Old World lies in the sovereignty of the people, particularly in its agrarian laws.

Plymouth was not settled upon the principle of squatter sovereignty—every man for himself—but upon communal principles of the strictest character. These were not adopted simply because of the copartnership of the Pilgrims with London merchants, or chiefly through the influence of a spirit of Christian communism, though doubtless both of these motives had considerable weight in the early management of the colony. There are features of communal administration in the matter of landed property too peculiar and too closely resembling those elsewhere considered, in the case of the historical village community, to permit of any other satisfactory explanation than that of inherited Saxon customs. Land community was maintained too long at Plymouth, and in the towns which were planted around Plymouth, on the same communal principles, to be accounted for on any theory of a temporary partnership of seven years, or on religious grounds.

Vestiges of the Old Germanic system of common fields are to be found in almost every ancient town in New England. In the town of Plymouth there are to this day some two hundred acres of Commons known as Town Lands. This tract is largely forest, where villagers sometimes help themselves to fuel in good old Teutonic fashion. In studying the territorial history of the Plymouth plantation I have gathered many interesting materials concerning the perpetuation of land community in that region. It is impossible in this connection to enter into details. One or two concrete

facts like the following will illustrate the survival of land community in the region of Plymouth colony.

In the old town of Sandwich, upon Cape Cod, at the point where the ship canal was projected in 1880, there is a little parcel of land of 130 acres known as the Town Neck. This is owned by a company of twenty-four proprietors, the descendants or heirs of the first settlers of the town, and this tract is managed to this day as a common field. Originally the Town Neck, with other common lands, belonged to the whole town. In the MS. Town Records of Sandwich I find, under the date May 22, 1658, this vote: "If any inhabytant wanteth land to plant, hee may have some in the Towne Neck, or in the Common for six yeare and noe longer." Later in 1678, April 6, townsmen are given liberty to improve Neck Lands "noe longer than ten yeares, . . . and then to be at the townsmen's ordering againe." In the year 1695 the use of the Town Neck was restricted to the heirs of original proprietors, and the land was staked out into thirty-eight lots. The lots were not fenced off, and the whole tract continued to lie as a common field, under the authority of the entire body of proprietors, like the arable lands of a German village community. In 1696, April 4, it was agreed that the Town Neck should be improved for the future by planting and sowing as a common field, until the major part of those interested should see cause otherwise to dispose or improve the same. The common fence was to be made up and a gate to be provided by the 1st of May. A field-driver or hayward was to keep the Town Neck clear of creatures and to impound for trespass. In 1700 it was voted that the Neck be cleared of creatures by the 16th of April, and that no part of the land be improved for tillage other than by sowing.

And thus from the latter half of the seventeenth century down to the present day have the proprietors of Sandwich Town Neck regulated the use of this old common field. Every year they have met together in the springtime to determine when the fences should be set up and how the pas-

ture should be stinted. The old Commoners' Records are for the most part still in existence as far back as the year 1693, and before this time the Town Records are full of agrarian legislation, for the Town Neck was then virtually town property. There arose in Sandwich and in every New England village community the same strife between old residents and new-comers as that between the patricians and plebeians of ancient Rome; the old settlers claimed a monopoly of the public land and the new-comers demanded a share. In most old New England towns, the heirs of original settlers or of citizens living in the community at a specified date retained a monopoly of the common lands for many years until finally compelled by force of public opinion to cede their claims to the town. In Sandwich, however, a vestige of the old system has survived to this day. Every spring, for many years, has appeared a public notice (I last saw one in the *Seaside Press*, May 8, 1880) calling together the proprietors of the Town Neck at some store in the village, to choose a moderator and a clerk, and to regulate the letting of cow rights for the ensuing year. I came on the track of this curious old common field one summer vacation in Provincetown, at the land's end of Cape Cod, where also and at Truro I found some interesting bits of fossil land tenure. I met in Provincetown a man who said he was taxed for one-sixth of a cow right in Sandwich which he had inherited from his grandfather. I knew that a cow right meant a vestige of common pasture and so investigated the matter. In Sandwich I found the old Commoners' records extending back for nearly two centuries, in the possession of a farmer in whose family the clerkship had been for several generations. He said nobody had ever asked to see those records before, and with Arcadian simplicity allowed me to take the whole collection to my hotel for examination. I created quite an excitement in the place by reason of my inquiries, for it happened that just about that time the ship canal was under discussion in Sandwich, and the villagers

concluded that I was examining into the title of the proprietors to the Town Neck with a view to land speculation.

In the town of Salem also I have discovered very interesting survivals of the old English system of common fields. Originally, the whole region round about the first settlement was common land. The region of North Danvers and of the town of Peabody was once a part of Salem's communal domain. Winter Island long was, and Salem Neck still is, more or less common land. The outlying portions of Salem were gradually granted out to individuals with important reservations by the town in the interest of parish churches, for the poor, and for the encouragement of certain public works, like the manufacture of glass, which was very early attempted by the thrifty Puritans as a business enterprise, like the manufacture of New England rum, although with less profit. There were for many years in the town of Salem certain common fields owned by associated proprietors just as in the case of the Sandwich Town Neck. Such were the North and South Fields in Salem. The old Commoners' records of the South Field are still preserved in the library of the Essex Institute, and date back as far as 1680. Under the date of October 14 of that year I find the following: "Voted, that the proprietors have liberty to put in cattle for herbage —that is to say, 6 cows, 4 oxen, 3 horses or yearlings, or 24 calves, to 10 acres of land, and so in proportion to greater or lesser quantities of land; and no person shall cut or strip their Indian corn stalks after they have gathered their corn, on penalty of forfeiting herbage." These old common fields have long since disappeared, for they are now built over by the city of Salem; but there still survives, at a little distance from the heart of the town, an example of the same sort of land tenure upon quite a large scale. The so-called Great Pastures of Salem, some three hundred acres, are, to this day, owned and managed by a small company of proprietors in common, of whom Dr. Wheatland, of the Essex Institute, has been, for many years, the clerk. He has in his posses-

sion the records of the proprietary, extending back for many generations. These records are full of old-time regulations in regard to common fencing, common pasturage, cow commons, sheep commons, and the like. The votes are much the same from year to year. We can hardly expect much variety in the administration of common fields during the short period of New England history, since the system endured for so many centuries in Europe without any appreciable modification.[1]

The life principle enduring in these apparently dead forms of land tenure is the sovereignty of the community over its individual or associate members. Although inheriting definite rights in the common land, shareholders are subject to the will of the majority. Communal sovereignty over lands exists even where individual landed rights appear most absolute. The other day a newspaper scrap was sent me from the South concerning a Mississippi planter who wanted to turn his plantation into a stock farm. His neighbors, who were in the habit of planting cotton, remonstrated and carried the case into public court, praying for an injunction to prevent the man from sowing grass seed, on the ground that the grass would spread over adjoining plantations and unfit them for raising cotton. The injunction was granted by the court and illustrates how, in a quarter of our country where individualism is supposed to be most rampant, the sovereignty of the community over land is recognized by law, even in the matter of what farmers plant.

Traces of the old system of agrarian community are cropping out in many different States of the American Union, which itself is based, as a permanent and necessary institution, upon the idea of territorial commonwealth, with self-governing States gradually organized out of the Common

[1] The village community of early Salem is one of the most remarkable cases of historic survival in New England. An attempt to point out some of the most striking features of that old plantation has been made in a monograph upon "Cape Ann and Salem Plantations," first published by the Essex Institute, and afterwards republished in this University series.

Land of the nation,[1] as New England Towns were organized out of village folk-land. Wherever in this common Saxon land the student may care to institute researches into the beginnings of civic life, there he will find, if he digs deeply enough, the old Saxon principle of land community uniting men upon a common economic basis and around a common centre. Whether that centre be the Town Commons of the North or the Court Greens of the South, the Common Pastures of Massachusetts or the Common Pastures of South Carolina; the folk-land of a ville, parish, township, state, or nation,—it is after all much the same in principle, for these communal interests are all derived from a common Saxon source. There is much to learn by a study of the local beginnings, agrarian and economic, of these United States. There is surely a common country of historic worth yet to be discovered, for mere surface-mining, here and there, in various quarters, indicates a vast and wide-reaching commonwealth below. It is the commonwealth of law and custom, of race and kinship, historic mines that can never be exhausted, for they extend not only underneath all imaginary sections of our land, but under the dividing sea of Revolutionary History itself, uniting the New World inseparably to the Old.

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[1] Maryland's influence in founding a National Commonwealth, Fund Publication No. 11, Maryland Historical Society, 1877. By H. B. Adams. In this monograph there is evidence showing not only that the influence of Maryland predominated in securing the great land cessions to the United States, but that the common relation of the English Colonies in America to these western lands, won by the blood and treasure of all, was in itself a most substantial ground for permanent and necessary union.

This was the first original work done in the historical department of the Johns Hopkins University. It was reviewed at length by Von Holst in the *Historische Zeitschrift*, 1878, Bd. 40, 380-84, and mentioned in *The Nation*, Dec. 12, 1878. It is gratifying to the author to find his results accepted by Mr. John Fiske in his recent article on "The Germs of National Sovereignty in the United States," Atlantic Monthly, Nov. 1886.

CO-OPERATION IN UNIVERSITY WORK.

By The Editor.

[These explanatory remarks were made November 17, 1882, before the Historical and Political Science Association of the Johns Hopkins University, for the sake of developing still further, on the part of its members, that co-operative spirit which is the motive-power of this University Series.—H. B. A.]

The need of some channel for the systematic publication of Johns Hopkins University Studies in Historical and Political Science gave rise to the idea of a series of monographs, each complete in itself, but all contributing toward a common end, —the development of American Institutional and American Economic History. The idea of a serial publication of numbered monographs, one paper sustaining another, was already current in Holtzendorff's Deutsche Zeit- und Streit-Fragen; in Virchow's and Holtzendorff's Sammlung gemeinverständlicher wissenschaftlicher Vorträge; in Conrad's Sammlung nationalökonomischer und statistischer Abhandlungen des staatswissenschaftlichen Seminars zu Halle; and in Schmoller's Staats- und socialwissenschaftliche Forschungen. But the special impulse to this University Series was the Giessener Studien auf dem Gebiet der Geschichte, instituted in 1881 by Wilhelm Oncken, editor of the Monograph-History of the World (Allegemeine Geschichte der Welt in Einzeldarstellungen), a serial work which has been in progress since 1878, through the co-operation of historical specialists, a work which has an earlier parallel in the political field in Bluntschli's Staatswörterbuch (1857), and a later parallel in the economic field in Schoenberg's Handbuch des politischen Oekonomie (1882), both composed by specialists upon the sound economic principles of division of labor and scientific co-operation.

The impulse received, in the first instance, from Germany was strengthened by a knowledge of the efficient workings of the co-operative method of writing municipal and national history in America, under the direction of Professor Justin Winsor of Harvard University; also by observation of the co-operative method in the conduct of the American Journals

of Mathematics, Philology, Chemistry, the Studies from the Biological Laboratory, and the Journal of Physiology, the latter edited by an English scholar with the co-operation of English and American specialists, but published in this country under the auspices of the Johns Hopkins University; still further by acquaintance with the Peabody Fund Publications of the Maryland Historical Society; and by practical suggestions from Mr. Sidney S. Rider, publisher of the Rhode Island Historical Tracts.

The idea of studying American Institutional and American Economic History, upon co-operative principles, beginning with local institutions, and extending ultimately to national institutions, developed gradually from an interest in municipal history, first awakened in the Seminary of Professor Erdmannsdoerffer at the University of Heidelberg, where, in 1875, while reading the *Gesta Friderici Imperatoris*, by Otto of Freising, seminary-discussion turned upon the Communes of Lombardy and the question of the Roman or Germanic origin of city government in mediæval Italy. This awakened interest, quickened by the reading of Carl Hegel, Arnold, Von Maurer, Fustel de Coulanges, was ultimately directed toward England and New England by a suggestion upon the last page of Sir Henry Maine's Village Communities, where, quoting Palfrey's History of New England (ii, 13, 14) and certain remarks in *The Nation* (No. 273)[1] upon the passage by Professor William F. Allen of the University of Wisconsin, Sir Henry calls attention to the survival of Village Communities in America. This suggestive idea, verified in all essential details with reference to Nantucket, Plymouth Plantations, Cape Ann, Salem and the oldest towns in New England, has been extended gradually to a co-operative study of American local institutions in all the older States and throughout the Northwest, where, in Wis-

[1] Professor Allen's communication was published in *The Nation*, September 22, 1870, as a "Note" upon Maine's "Ancient Law," before his "Village Communities" appeared (1871). Professor W. F. Allen was the first to verify Sir Henry Maine's agrarian theory in America by independent research in the island of Nantucket, a study published in *The Nation*, January 10, 1878, under the title, "A Survival of Land Community in New England." Cf. *The Nation*, Nov. 10, 1881.

consin, Professor Allen, the original pioneer, had joined in the work, supported by his Seminary of advanced students. The idea is represented in the distant University of Nebraska, at Lincoln, by Professor George E. Howard, who, trained at German Universities, is this year teaching "Institutional History" by the comparative method, with Maine, Hearn, Laveleye, Fustel de Coulanges, and Lewis H. Morgan for suggestive guides.

It is interesting to see the knowledge of Aryan institutions thus advancing westward. The science of English Institutional History is represented in the University of California by Albert S. Cook, the newly appointed Professor of English, who, while Associate at the Johns Hopkins University, co-operated most efficiently with the Historical Seminary in teaching its members Anglo-Saxon and in publishing for their use "Extracts from the Anglo-Saxon Laws" (Henry Holt, 1880), illustrating the early "institutions and manners of the English people." This work was the direct outgrowth of Seminary needs, for Stubbs' Select Charters contained but few extracts from Anglo-Saxon Law and these only in the English translation by Thorpe. Mr. Cook's edition was made very serviceable to students by constant reference to Stubbs' Constitutional History and to the Essays in Anglo-Saxon Law by Professor Henry Adams, formerly of Harvard College, and by his pupils, Henry Cabot Lodge, Ernest Young, and J. Laurence Laughlin, who, advancing from German and English ground, were among the first to give a decided impetus to the study of historical jurisprudence in America.

The career of Mr. Cook well illustrates the way in which modern science is conveyed in personal forms from one country or one University-centre to another. Graduating from Rutgers College in 1872, he taught and studied for a few years in this country, and then went to Göttingen, afterward to Leipzig. In 1879 he was called to Baltimore to teach Early English, of which in America and in Germany he had made a specialty. In 1881 he went to England to study with Professor Sweet, then back again to Germany, where, at Jena, in the summer of 1882 he took his Doctor of Philosophy, with a thesis on the Northumbrian Dialect, ap-

proved by Professor Sievers. It is probable that his previous University connections with Baltimore, together with other influences proceeding from English and German experience, had some bearing upon his immediate call to a professorship in the University of California. Thus from the region of Saxe-Weimar, or as Freeman says, "that make-believe Saxony which is really Slavonic," a knowledge of Early English was borne across real Saxon land, across the Ocean, across a Continent, to the most western home of the English people, a home which Charles Kingsley called "a New World beyond a New World." Saxon Studies, like Saxon Conquests, have pushed westward as well as eastward, beyond Old Saxon and Old English frontiers. It is interesting to see scientific *Markgrafen*, like Cook and Sievers, stationed upon the modern borders. "What Saxon is Cook studying at Jena? Why go so far?" writes Freeman. "They talk a fine West-Saxon in Virginia,[1] with their *ea* and *eo* well turned out, almost as on *Sumorsaetan*, only on *Sumor-*

[1] Mr. Freeman knows Virginian in only one of its varieties. Tidewater, Piedmont, Valley, Southwest all present marked differences. The "Tuckahoe" is bewrayed by his speech as soon as he crosses the Blue Ridge. The broad *a*, in a host of words, in which it is unknown to the dictionaries, belongs to the older settlements and persists in certain families even after they have been transplanted to the foot of the mountains. The first *a* in Chamberlayne is pronounced in three or four different ways, all Virginian and so all right. The notorious slurring of the medial *r*, common in large belts of English speech, is observable everywhere in Virginia, but much less in some sections than in others, and the volatilization of the final *r* is not so marked in the Piedmont as it is in the Tidewater section, while the Lower Valley has a guttural *r* final due to German influence. Scotch-Irish has told on the dialect of the Upper Valley and the Southwest. Clipping of final consonants is notoriously Scotch, and easy theorists have exaggerated the African influence. But this is not a subject for any one except a trained and unprejudiced observer. Almost everybody notices differences of pronunciation, but very few can register them with precision and reproduce them with accuracy. It is high time that linguistic students should enter upon this field of research before the outlying districts of the South are brought into the quicker life of the other States. The Southern *shibboleths* will in time be lost, and I have myself heard from Southern lips such pronunciations as "*Noo-Yark*," "*Toosday*," and "*dooty*," which used to wound the Southern ear almost as much as the gasping of the Cockney, which we call "dropping the *h*."—B. L. G.

saetan they distinguish *janua*[1] and *dama* which on *Magdslande* sound alike." But it takes a West-Saxon thus to reconize West-Saxon. Old England explains New England. Schleswig and Switzerland reveal Early England to the English historian. A knowledge of Old World science is absolutely indispensable to scientific discovery in the New World. The local dialects of America can never be studied with an understanding mind until American students study the local dialects of England, as Dr. Cook has studied the Northumbrian dialect. There is, perhaps, a certain historic fitness in the fact that Old English is so well taught in Germany, the oldest of the three homes of the English people; and it is surely very natural that Saxon studies should traverse and re-traverse the old lines of Teutonic migration.

There is nothing in the wandering of peoples or in the history of the *Errantes Scholares* of the Middle Ages which rivals the migration of the modern scholar. In 1875, the year President Gilman came eastward to Baltimore from the University of California, whither he had been called in 1872 from a professorship in Yale College, a student who that year graduated from Berkeley came eastward by the advice of his teachers and wandered, like a veritable *fahrender Schüler*, from one institution to another until he reached the University of Leipzig, upon the historic border between the Teuton and the Slave. At the same time, the newly appointed President of the Johns Hopkins University was wandering over Europe, visiting the chief educational institutions of Germany, France, and England, with a view to the transmission of ideas from the Old World to the New. In 1876

[1] Readers who happen not to be familiar with the peculiar pronunciation of Piedmont Virginia (*Magdsland*), and who therefore fail to apprehend Mr. Freeman's allusion, may now enjoy what the President of the Delphian Club thought the crowning felicity of human existence—"a joke well explained." In the region referred to, the final *r* is usually silent; and thus *door* (*janua*) and *doe* (*dama*) are pronounced exactly alike. The writer remembers to have met with an indigenous ballad, set to music, and much in favor with the fair sex, in which "store," "sure," and "so" were made to rhyme with each other. It represented the reasonable irritation of a maiden at the timidity of a bashful lover, who could not screw his courage to the proposing-point; and in one stanza she complains:

"I know his love is constant,
Affectionate and pure: [pyō]
What ails the bashful fellow
That he cannot tell me so?"

—W. H. B.

the American student, quickened by European travel and experience, returned to his native land to enter upon a philosophical Fellowship at the new University, the President of which had been inaugurated in the Monumental City on the 22d of February of that year. The University, like the ideas of its President and like the culture of the returning student, was neither German nor French nor English, but American and cosmopolitan. This country and all its institutions, though they adopt the best which the Old World can teach, will still constitute a New World by natural selection, and by independent organization in harmony with a new environment. The California student, who had been schooled in German Universities for one year, studied for two more years at the Johns Hopkins University and then took his degree of Doctor of Philosophy, with this significant thesis, "The Interdependence of the Principles of Human Knowledge." He was then called across the Continent, to his Alma Mater, to become an Assistant Professor in literature and philosophy. From that frontier-post, his contributions to the *Californian*, the *Berkeley Quarterly*, and the *Journal of Speculative Philosophy* came migrating eastward. "Mind-stuff" and other "Realities" pushed across the sea, marched into England from the West, and effected a certain intellectual conquest in self-restricted Saxon ways by publication in a very special philosophical journal known as "*The Mind*," (July, 1881; Jan., 1882). In 1882 Dr. Royce himself again migrated eastward, having been invited to a position as lecturer upon Philosophy in Harvard College, as substitute for Professor James, who was wandering in Europe.

At the same time Dr. Royce was returning eastward, Dr. Stringham, a graduate of Harvard College and afterward a Fellow of the Johns Hopkins University, then travelling Fellow of Harvard, was returning westward from the University of Leipzig to his old home in Kansas, to push on thence to his new western home in the University of California, where he has accepted a professorship in Mathematics. And now a student from California, bearing letters from the faculty of the institution at Berkeley, has come eastward to Baltimore, leaving an associate editorship of the San Francisco Bulletin, for the sake of discovering, for himself, an old world of science. And already in the light of Institutional

studies he is investigating the municipal history of St. Louis, and is preparing to develop a veritable mine in the study of frontier law and of the wonderful evolution of self-government in California mining-camps,[1] where old Saxon forms of associated families of *men* sprang full armed into life and law. Four students from Professor Howard's Seminary in Nebraska have come eastward to continue historical studies. They represent, moreover, a comity of scientific associations first established at German Universities between their American instructors.

Such facts illustrate not only the remarkable migrations of the modern scholar, but that curious system of intercollegiate exchange which has developed so rapidly of late in America. Within the short space of six years, a graduate of Harvard College has held in Baltimore a Johns Hopkins University Fellowship, one of the Harvard "travelling" Fellowships at Leipzig and Bonn, a tutorship at Harvard, a professorship at Bowdoin College, and a professorship in the University of Virginia, where he, a New England man, succeeded a Virginian who had been called north to Columbia College. There are signs of a new era in the educational history of this country. A graduate student from South Carolina comes to Baltimore and, through association with a graduate of Brown University, obtains the Principalship of a High School in a Connecticut Town. Dr. Ely, an A. B. of Columbia College, lectured in Baltimore and Ithaca. A graduate of Iowa College in 1874, afterward a student at Andover Theological Seminary, held a Fellowship in Political Science for two years in Baltimore, took his degree of Ph. D.,[2] studied one year at Heidelberg under Knies and

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[1] Charles Howard Shinn, author of various chapters in Scharf's History of St. Louis and of "Mining Camps," pp. 316, New York, Charles Scribner's Sons, 1885, is now, 1886-7, editor of *The Overland Monthly*, San Francisco, Cal.

[2] Dr. Henry C. Adams' graduating thesis for the Doctor's degree at the Johns Hopkins University, taken in 1878 after special examination in History by Mr. George Bancroft and in Political Economy by Professor Francis A. Walker, was published in the Tübinger Zeitschrift für die gesammte Staatswissenschaft, 1879, under the title Zur Geschichte der Besteuerung in den Vereinigten Staaten von Amerika in der Periode von 1789-1816. The paper has been republished in the University Studies, Vol. II., V.-VI., and the subject has been continued in America.

Bluntschli and at Berlin under Wagner and Engel, then, after his return to America, lectured in quick succession at three different institutions, at Michigan, Cornell, and Johns Hopkins Universities. C. R. Lanman, a Doctor of Philosophy from Yale College, who afterward studied two years in Germany, advanced in four years from a Fellowship and an Associateship in the Johns Hopkins to a Professorship in Harvard College. He was succeeded by a former pupil in Baltimore, who, born in Austria, migrated to America, entered the University of Chicago, graduated in 1877 at Furman College, South Carolina, from the instruction of Professor Toy, studied under Professor Whitney in New Haven one year, took his Ph. D. in Baltimore in one year more, and then studied a year longer in Germany before returning to the Johns Hopkins. A Harvard Lecturer and a Michigan Professor used to spend half their time in Baltimore. College training and professorial experience are no longer local and provincial. Stronger currents of influence are already arising: collegiate reciprocity, the exchange of thought, methods, and men; university education in the Old World and in the New; special qualifications for special work; character born of good training at home, and developed by school, college, university, and the world,—these are ideas which must prevail.

Among the most encouraging signs of the times are the cordial relations subsisting between the higher institutions of learning, and especially in that growing brotherhood of scholars which is to be found in every real University centre. At the Johns Hopkins during the year 1881-2 there met, upon the common ground of science, representative graduates from fifty-two different Colleges and Universities, students from twenty-one different States of the American Union and from various foreign countries. If to this record should be added a full account of the various College and University connections that, at one time or another, have been enjoyed by the ninety-four Fellows, by the eighty-six different Instructors, Lecturers, Associates, and Professors who have been connected with the Johns Hopkins, it would certainly appear that the leading institutions of Europe and America had met in Baltimore by representation. The Col-

lege and University system of the world would appear in a microcosm. Without special knowledge of or inquiry into the subject, one might enumerate the following European centres of learning which have afforded instruction and scientific training to members of the Johns Hopkins University staff: Oxford, Cambridge, London, Paris, Berlin, Vienna, Leipzig, Munich, Göttingen, Tübingen, Heidelberg, Strassburg, and other German Universities, the round of two or three of which is always made by American as well as by German students. Lecturers from Oxford, Cambridge, the University of London, Freiburg im Breisgau, Harvard, Yale, Brown, Cornell, Michigan, Wisconsin, Virginia, and Tennessee have appeared in Baltimore. More than one hundred students and instructors have gone forth from the Johns Hopkins University to lecture or teach elsewhere. Fifty different institutions of collegiate or university grade have had instructors from Baltimore.

It is interesting to view geographically the migration of influence from this University centre into the South, the Southwest, the West, across the Continent, and around the world. The Johns Hopkins has sent professors or teachers to the Universities of Virginia and of North Carolina, two Colleges and a Theological Seminary in South Carolina, University of Louisiana, Universities in Tennessee and Kentucky, three Colleges and a University in Pennsylvania, two colleges and a University in Ohio, University of Michigan, University of Wisconsin, University of California, University of Tokio, and University of Bonn. Baltimore specialists have continued work at the Universities of Vienna, Berlin, Leipzig, Jena, Munich, Heidelberg, Strassburg, Bonn, Göttingen, Paris, London, Oxford, Cambridge, and Edinburgh. Harvard and eight of the higher institutions of learning in New England (including those at Amherst, Northampton, and Williamstown), Cornell, Princeton, Western Maryland College, and various institutions in the City of Baltimore, have seen fit to employ the services of Johns Hopkins men as lecturers or instructors.

It is, to some extent, upon the historic basis of such connections as these that the Johns Hopkins University is gradually widening its lines of practical influence and efficient co-operation. Such connections afford a vantage-ground for

the upbuilding of Science, for the extension of new methods in America, for the local establishment of new ideas. The present plan for the co-operative study of Historical and Political Science is for advanced students, whether teachers or pupils, here or elsewhere, to investigate in a systematic way the Institutional or Economic History of their own section or locality. Young men, with slight experience in scientific research, will see an obvious advantage in beginning work upon familiar ground and upon limited areas. It is not necessary to rewrite the History of the "Constitution" or to grapple with the giant of American Finance in order to learn how to deal with historic and economic questions. History and Economy begin at home. The family, the hamlet, or neighborhood, the school or parish, the village, town, city, county, and state are historically the ways by which men have approached national and international life. It was a preliminary study of the geography of Frankfort on the Main that led Carl Ritter to study the physical structure of Europe and Asia, and thus to establish the new science of Comparative Geography. He says, "Whoever has wandered through the valleys and woods and over the hills and mountains of his own State, will be the one capable of following a Herodotus in his wanderings over the globe." And we may say as Ritter said of the science of geography, the first step in History is to know thoroughly the district where we live. In America, Guyot has represented for many years this method of teaching geography. Huxley in his Physiography has introduced pupils to a study of Nature in its entirety by calling attention to the physical features of the Thames valley and the wide range of natural phenomena that may be observed in any English Parish. Humboldt long ago said in his Cosmos, "Every little nook and shaded corner is but a reflection of the whole of Nature." There is something very suggestive and very quickening in such a philosophy of Nature and History as regards every spot of the earth's surface, every pebble, every form of organic life, from the lowest mollusk to the highest phase of human society, as a perfect microcosm, perhaps an undiscovered world of suggestive truth. But it is important to remember that all these things should be studied in their widest relations. Natural history is of no significance if viewed apart from Man. Human history is without foundation if separated from Nature. The

deeds of men, the genealogy of families, the annals of quiet neighborhoods, the records of towns, states and nations are *per se* of little consequence to history unless, in some way, these isolated things are brought into vital connection with the progress and science of the world. To establish such connections is sometimes like the discovery of unknown lands, the exploration of new countries, and the widening of the world's horizon.

American local history should first be studied as a contribution to national history. This country will yet be viewed and reviewed as an organism of historic growth, developing from minute germs, from the very protoplasm of state-life. And some day, this country will be studied in its international relations, as an organic part of a larger organism now vaguely called the World State, but as surely developing through the operation of economic, legal, social, and scientific forces as the American Union, the German and British Empires are evolving into higher forms. But American History in its widest relations is not to be written by any one man or by any one generation of men. Our History will grow with the Nation and with its developing consciousness of internationality. The present possibilities for the real progress of historic and economic science lie, first and foremost, in the development of a generation of economists and practical historians, who realize that History is past Politics and Politics present History; secondly, in the expansion of the local consciousness into a fuller sense of its historic worth and dignity, of the cosmopolitan relations of modern local life, and of its own wholesome conservative power in these days of growing centralization. National and international life can best develop upon the constitutional basis of Local Self-Government in Church and State.

The work of developing a generation of specialists has already begun in the College and the University. The evolution of local consciousness can perhaps be best effected through the Common School. It is a suggestive local fact that the School Committee of Great Barrington, Massachusetts, lately voted (*Berkshire Courier*, September 6, 1882) to introduce into their village High School,[1] in the hands of an

[1] The catalogue of the Great Barrington High School (1882) shows that the study of History and Politics is there founded, as it should be, upon a geographical basis.

Amherst graduate, in connection with Nordhoff's "Politics for Young Americans" and Jevons' "Primer of Political Economy," the article upon "The Germanic Origin of New England Towns," which was once read in part before the Village Improvement Society of Stockbridge, Massachusetts, August 24, 1881, and published in the Pittsfield Evening Journal of that day. Local demand really occasioned a University supply of the article in question. The possible connection between the College and the Common School is still better illustrated by the case of Professor Macy, of Iowa College, Grinnell, who is one of the most active pioneers in teaching "the real, homely facts of government," and who in 1881 published a little tract on Civil Government in Iowa, which is now used by teachers throughout that entire State in preparing their oral instructions for young pupils, beginning with the township and the county, the institutions that are "nearest and most easily learned." There should be such a manual for every State in the Union. Professor Macy has more recently, 1886, published an instructive textbook on "Our Government" in general, treating the subject historically and practically (Boston, Ginn and Company, 1886).

It is curious to see how influences act and interact. In 1881, Mr. Shaw came to the Johns Hopkins University, leaving the conduct of a Grinnell newspaper in the hands of an associate editor. Here in Baltimore the young man from Iowa joined the Historical Seminary and wrote a paper upon "Local Government in Illinois" which won high praise from James Bryce, M. P., and was, at the latter's request, published in the Fortnightly Review, October, 1882, and will soon be republished in this University Series. From such influences and such connections, local and metropolitan, Mr. Shaw has advanced to a study of "Icaria" and of American Co-operation, in connection with other workers in this field. Since 1884 he has been editor of the *Minneapolis Tribune*.

Studies in Historical and Political Science in connection with the Johns Hopkins University will proceed upon municipal lines towards the scientific investigation of State and National Institutions, political, economic, and educational. By combination of strength and by continual reinforcement, American History and American Economics may finally advance in lines both long and firm, as seen, for example, in

Mr. Winsor's "Narrative and Critical History of America," which is the joint work of specialists in various parts of the country. Extensive tracts of historic and economic ground have been already pre-empted, but enough remains for student-immigration throughout the coming generation. The beauty of Science is that there are always New Worlds to discover. And at the present moment, there await the student pioneer vast tracts of American Institutional and Economic History almost as unbroken as were once the forests of America, her coal measures and prairies, her mines of iron, silver and gold. Individual and local effort will almost everywhere meet with quick recognition and grateful returns. But scientific and cosmopolitan relations with College and University centres, together with the generous co-operation of all explorers in the same field, will certainly yield the most satisfactory results both to the individual and to the community which he represents.

It is highly important that isolated students should avail themselves of the existing machinery of local libraries, the local press, local societies, and local clubs. If such things do not exist, the most needful should be created. No community is too small for a Book Club and for an Association of some sort. Local studies should always be connected in some way with the life of the community and should always be used to quicken that life to higher consciousness. A student, a teacher, who prepares a paper on local history or some social question, should read it before the Village Lyceum or some literary club or an association of teachers. If encouraged to believe his work of any general interest or permanent value, he should print it in the local paper or in a local magazine, perhaps an educational journal, without aspiring to the highest popular monthlies, which will certainly reject all purely local contributions by unknown contributors. It is far more practicable to publish by local aid in pamphlet form or in the proceedings of Associations and learned Societies, before which such papers may sometimes be read.

It is highly desirable that every paper which appears in connection with the Johns Hopkins University Studies should bear the stamp of corporate recognition by some worthy local organization. Such approval, and especially

such preliminary publication, will introduce an unknown student to science with credentials from a local constituency. Every paper which is printed in this first University Series has some such endorsement. In cases where it is impracticable to secure preliminary publication or local recognition, papers may be submitted to the Editor of this Series for reference to a special committee and for ultimate report to the Johns Hopkins Historical and Political Science Association, which, with its tributary Seminary of American Institutional and Economic History, is at present the main and not inadequate supply for this University publication.

This experiment of a University Series in the field of Historical and Political Science, like many other experiments in connection with the educational policy of the Johns Hopkins, is "tentative." It is primarily an attempt to meet a real want on the part of graduate students of History and Politics at this institution. It is secondarily a means of efficient co-operation between graduates here and friends of Historical and Political Science elsewhere, along lines of inquiry that have been already opened in American Institutional and Economic History. The plan is upon a very safe footing and will not outrun the range of actual experience. Every step thus far has been experimental. Every paper upon the published list has relations established with some local clientage, some learned society, magazine, or journal, or else with the Johns Hopkins University. The foundations of the enterprise are thus historical and economic.

Encouragement has been given to the undertaking by the President and Trustees of the Johns Hopkins University, by the Historical Societies of Maryland, Pennsylvania, South Carolina; by the New England Historical and Genealogical Society, by the Essex Institute, the Magazine of American History, by the Pennsylvania Magazine of History and Biography, by the American Antiquarian Society, the American Social Science Association, and by the Fortnightly Review. Aside from such corporate recognition, three eminent specialists in the field of History and Politics have expressed their hearty approvel of this project: Mr. Edward A. Freeman, who stands as godfather to the series by a contribution to its first number; James Bryce, M. P., who requested one of the Studies for publication in an English Review; Maxime Kovalevsky, Professor of History and Politics in the Uni-

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versity of Moscow, who last summer came to this country to investigate our agrarian history and the germ-life of American Institutions, which subjects he found already in process of investigation at the Johns Hopkins University.

The international comity of Science is well illustrated in the visit of this Russian Professor, the friend of Turgénieff, who introduced him to this country through Henry Holt, of New York. After visiting Harvard University, Professor Kovalevsky came to Baltimore with letters of introduction to members of the Johns Hopkins, with some of whom he had already indirect acquaintance through the cosmopolitan associations of German Universities. On his way to Baltimore he visited the library of the Pennsylvania Historical Society in Philadelphia and asked Mr. Stone, the librarian and editor of the Pennsylvania Magazine of History and Biography, if he had any materials upon the subject of Local Self-Government in that State. "Nothing except proof-sheets," was the response, and Mr. Stone handed Professor Kovalevsky an article which Mr. E. R. L. Gould had lately read before the Pennsylvania Historical Society and which was about to be printed in the Magazine. The professor continued his journey to Baltimore and sought out Mr. Gould, as well as the scientific resources of the Seminary, which, together with those of the Maryland Historical Society, were placed entirely at his command. He gathered much in a few days, chiefly documents, touching the history of our Public Lands and the mode of settling and organizing the Great West. He requested the co-operation of the Seminary in making known to Russia the Institutional and Economic History of the United States. He made arrangements for the sending to Moscow of all monographs in this Series as soon as published, and even secured proof-sheets of Mr. Gould's article and other University papers in their first form of publication. But he gave the Seminary far more than he received. He held long conferences with individual members; he put them upon the track of old-world monographs that had escaped American notice; he put individuals in communication with European scholars; he gave many useful suggestions as to the best methods of exploiting Old English Institutional and Economic History, upon which subjects he himself has worked for many years.

Professor Kovalevsky is the leading Russian authority in

the field of economic and institutional history, wherein there have been and are so many co-workers in various countries, among whom are George and Konrad Von Maurer, Hanssen, Meitzen, Thun, Nasse, Knies, Roscher, Bücher, Held, Inama-Sternegg, Brentano, Cohn, Ochenkowski, Miaskowsky, Laveleye, Fustel de Coulanges, Rogers, Sir Henry Maine, Mr. Seebohm, Henry Adams, H. C. Lodge, Ernest Young, J. Laurence Laughlin, W. F. Allen, and D. W. Ross. In the *Revue Historique*, the French rival of the *Historische Zeitschrift;* is an appreciative Review, May and June, 1882, of Kovalevsky's labors in the history of communal institutions. In speaking of his two most recent works, written in Russian, one on Communal Property (I. Moscow, 1879) and the other on the Social Organization of England at the close of the Middle Ages (Moscow, 1880), it is said, "Ce sont les ouvrages les plus importants et les plus solides qui aient vu le jour en Russie dans ces deux dernières années." The first work, not yet completed, concerns communal property among the native races of America, the agrarian policy of Spain in the East Indies, communal property in India, modifications of the land tenure in India by Mohammedan and English dominion, land tenure in Algiers and the agrarian policy of France. Kovalevsky has also written an Umriss einer Geschichte der Zerstückelung der Feldgemeinschaft im Kanton Waadt (Zürich, 1877), and various other works, in French and Russian.

The advice and encouragement of such a cosmopolite in Science, who is equally at home in Paris, London, Berlin, and Moscow, who has investigated the social and economic history of countries as wide apart as India and America, who studies the *Landesgemeinde* of Switzerland, the Town Meeting of New England, and the Russian *Mir* as kindred institutions, who views the American Prairies of the Great West and the Russian Steppes of the Great East in the same economic light, who represents in his political philosophy the wide horizon of internationality as well as nation, state, and narrow commune,—the advice and encouragement of such a man cannot but quicken American youth who are beginners in Science. There is no danger of their studies being lost or absorbed in such a master mind. On the contrary, through such influences, through such connections with European scholars and European journals, good local

work in American will pass into higher international forms and yet remain distinctively American.

European scholars are only too glad to accept and recognize as authoritative the special work of American students investigating upon their own ground, with all the advantages of local acquaintance, local observation, local libraries (private and public), local societies, local sympathy, and local co-operation. Foreign scholars, who travel through this country in a hurried way, know well that their knowledge of the land is superficial and their experience necessarily limited. Observers of American Democracy like Tocqueville, Kovalevsky, Freeman, Bryce, and Herbert Spencer may ascend the very citadel of scientific privilege; they may view the country with their own eyes, through newspapers, or through books, but they can never command the American situation. Nor is this their ambition. Their primary object is to sketch America for the benefit of their own countrymen; and they are always glad to carry home suggestive ideas for the completion of their sketches. Professor Kovalevsky would have been delighted to find in Baltimore articles on the Local Self-Government of every State in the Union. Mr. Bryce would have been pleased to find some scientific account of the origin and course of that municipal revolution in Philadelphia, where, in classic speech, Mr. Freeman described the overthrow of one-man power as *procumbit humi bos!* (For such an account, see Extra Volume II., 1887.)

American students are beginning to find out the scientific significance of contemporary Municipal and National Politics in America. They are beginning to see what wide-reaching economic, institutional, administrative, educational, political, and international problems may be investigated at home without going abroad for original material. Old-world science and old-world methods have been introduced into this country in a liberal way during the past few decades, and from this scientific vantage-ground it would seem to be most advisable for American students of History and Politics to enter fields for which there are in this country very superior advantages. While recognizing the unity of all Science, we must nevertheless admit that there are limitations and varying conditions for the successful prosecution of certain branches. It would obviously be very poor economy for an American, living in this country, to attempt to write

the municipal or economic history of any English Town, German Free City, or French Commune, for which work the best, if not the only, materials are upon the other side of the Ocean. On the other hand, not even *Deutscher Fleiss*, or a German University, or the British Museum, can amass and control the materials, manuscript and printed, relating to a single American city or one of the older New England Towns. And yet such resources can easily be commanded by Americans at home, through the mediation of State Historical Societies, or through connection with American antiquarians and local historians. Why should Americans attempt to write the history of foreign governments, foreign institutions, old world economics, when there is so much to do upon home-ground? The results of European investigations lie before our very doors, and can be employed in a thousand legitimate ways for the upbuilding of American Institutional and American Economic History. Pioneer work and fresh discoveries are everywhere possible in this country; but this cannot be said so emphatically of the Old World. All the benefit of scientific method and scholarly training that could be derived from traversing and re-traversing the archæological fields of Europe may be enjoyed in America, with the additional advantage of finding new truth in independent ways.

No country has such scientific possibilities as America, where in a College Town of 12,000 inhabitants, like Northampton, Massachusetts, one individual, Judge Forbes, leaves a bequest of over two hundred thousand dollars for a free public library "of science and the arts in their broadest acceptation, of ancient and modern history, and of the literature of our own and other nations;" or where, as in the city of Baltimore, another individual, George Peabody, endows with $1,250,000 an institute, comprising (in addition to lecture courses, a conservatory of music and an art gallery) "an extensive library, to be well furnished in every department, to satisfy the researches of students who may be engaged in the pursuit of knowledge not ordinarily attainable in the private libraries of the country;" and where another individual, Enoch Pratt, endows another public library with over a million dollars;[1] and where still another philanthropist

[1] On "Libraries in Baltimore," see article by H. B. Adams in *The Nation*, February 9, 1882. Reprinted in the *University Circulars*, March, 1882.

endows a University and a Hospital upon a scientific basis with a total fund of $7,000,000. And if such generous foundations are not enough to gratify the growing wants of young Americans, there is the expanding Library of Congress, the Library of the State Department, with its manuscript treasures, the Smithsonian Institution, and the scientific resources of the National Government, which, through proper channels, may be commanded by the poorest student.

And yet even these prospects, my hearers, are not the widest which are opening to view. Through University co-operation in Baltimore, the individual scholar may now command the latest results of scientific inquiry, even before it takes permanent form in printed volumes and in the great libraries of Town, City, and Nation. Through our University Journals, the teacher of science, and the special student, even though removed from scientific centres, may learn of the progress of his department in this country and in Europe. Through a system of scientific exchanges, now developing in Baltimore, the Proceedings of learned societies, the most recent discoveries in foreign laboratories of science are quickly made known to American students. Through a New Book Department, the freshest monographs and the newest books, French, German, and English, are brought to student-notice immediately upon publication, so that Americans in Baltimore are more sure of seeing these things than is possible in the smaller German University towns, where such library organization is unknown.

By organized, co-operative effort, American students can establish organic relations with European Universities, Old World Societies, foreign magazines of a special character, scientific appliances for publication, both in this country and in Europe,—in fact with the whole complex of Modern Science, into which no individual student can possibly find his way without scientific associations. Fellowship in Science will always afford the individual greater strength than he can acquire alone. A connection with learned societies, special libraries, special journals, is highly advantageous. Co-operation in University work and the organization of scientific results are very important for American students who wish to advance the cause of special education in this country, and thereby the cause of American Science.

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